

	For the Years Ending	
	August 31, 1934	August 31, 1935
Orphans' Home	191,212.00	196,212.00
Rusk State Hospital	434,420.00	375,970.00
San Antonio State Hospital	547,585.00	439,885.00
Terrell State Hospital	382,969.00	482,969.00
Tuberculosis Sanatorium	295,811.00	295,811.00
Wichita Falls State Hospital	382,667.00	462,667.00
Texas School for the Blind	103,530.50	103,530.50
Texas School for the Deaf	192,657.00	192,657.00
Grand Totals	\$ 4,193,070.00	\$ 4,245,460.00

FORTY-NINTH DAY.

Senate Chamber,
Austin, Texas,
March 22, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Senator Grady Woodruff.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By unanimous consent, the rule relating to the introduction of general bills after the first 52 days of

the session was suspended and consent was granted to introduce the following bills:

By Senator Cousins:

S. B. No. 470, A bill to be entitled "An Act to provide that agreements between merchants to reduce the sales price of merchandise shall not be unlawful, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Purl:

S. B. No. 471, A bill to be entitled "An Act to safeguard against the irresponsible practice of the profession of architecture; defining and regulating the practice of architecture; creating a Board of Architectural Examiners; providing for appointment; fixing the terms of office; providing for appointment of their successors and for filling vacancies; fixing the qualifications of the members of said board; requiring such members to take the oath of office and file same with the Secretary of State; providing for the election of various officers of said board; requiring the bonding of the secretary-treasurer; providing for the adoption of necessary rules, regulations, and by-laws of said board to govern its proceedings and activities; prescribing the duties of the various members of said board; providing for the fees collected by said board to be deposited in a special fund in the State Treasury; providing for an appropriation from said fund to pay salaries, compensations and other expenses of said board; etc., and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Holbrook:

S. B. No. 472, A bill to be entitled "An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1933, at the several State institutions of higher learning in the State of Texas, authorizing the expenditure by said institutions of certain additional amounts from fees collected from summer school students, and declaring an emergency."

Read and referred to Committee on State Affairs.

Senators Excused.

The following Senators were excused for the day on account of important business:

Senator Woodul, on motion of Senator Patton.

Senator Stone, on motion of Senator DeBerry.

Senator Martin, on motion of Senator Holbrook.

Senator Oneal, on motion of Senator Small.

Senate Bill No. 456.

Senator Holbrook received unanimous consent to suspend the regular order of business and take up the following bill:

By Senator Holbrook:

S. B. No. 456, A bill to be entitled "An Act to be known as Article 4386a, Revised Civil Statutes, 1925; providing for the issuance of warrants for United States postage stamps to be used by boards or departments of the State government, and providing for the payment of such warrant irrespective of the serial number thereof or the priority of the issuance thereof; and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time.

Senator Holbrook sent up the following amendments:

Amend Senate Bill No. 456 by striking out the words "for the purchase of United States postage stamps to be used" in lines 6 and 7 of Section 1 of the bill and inserting, in lieu thereof, the following: "for the purchase of United States

postage stamps and for the payment of postoffice box rents."

HOLBROOK.

Read and adopted.

Amend the caption to Senate Bill No. 456 by adding after the words "State government," the following: "and for the payment of postoffice box rents by same."

HOLBROOK.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 456 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Neal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.

Nay—1.

Purl.

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Senate Bill No. 468.

Senator Holbrook received unanimous consent to suspend the regular order of business and take up the following bill:

By Senator Holbrook:

S. B. No. 468, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas the sum of Five Hundred and Sixty-six Dollars and Sixty-five Cents (\$566.65), not otherwise appropriated, to cover rental for vault space in the Austin National Bank, of Austin, Texas, from March 9, 1933, to August 31, 1933; and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 468 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Greer.
Blackert.	Holbrook.
Collie.	Hopkins.
Cousins.	Hornsby.
DeBerry.	Moore.
Duggan.	Murphy.
Fellbaum.	Neal.

Pace.	Regan.
Parr.	Russek.
Patton.	Sanderford.
Poage.	Small.
Purl.	Woodruff.
Rawlings.	Woodward.
Redditt.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Motion to Set Special Order.

Senator Small moved to set S. B. No. 92 as special order Monday immediately following the bills already set as special orders. The motion prevailed.

H. J. R. No. 2.

The Chair laid before the Senate the following resolution:

H. J. R. No. 2, A joint resolution proposing an amendment to Section 26, of Article 3, of the Constitution of Texas, by adding thereto Section 26a, providing that under no apportionment shall any county be entitled to more than six (6) representatives unless the population of such county shall exceed six hundred thousand (600,000) people; providing for the apportionment in counties of more than six hundred thousand (600,000) people; providing for its submission to the voters as required by the Constitution and making an appropriation therefor.

Read second time.

On motion of Senator Woodward, the resolution was laid on the table subject to call.

H. J. R. No. 3.

The Chair laid before the Senate the following resolution:

H. J. R. No. 3, Proposing to repeal Article 5 of the Constitution of the State of Texas, the same being the article creating the Judiciary Department of the State and to adopt and enact a new Article 5 in lieu thereof, reorganizing the Judiciary Department of the State of Texas.

Read second time.

On motion of Senator Patton the resolution was laid on the table subject to call.

H. C. R. No. 27.

The Chair laid before the Senate:

H. C. R. No. 27, Relative to compensation for damage done to the car of W. E. Pope by the Highway Department.

On motion of Senator Woodward, the resolution was laid on the table subject to call.

H. C. R. No. 21.

The Chair laid before the Senate: H. C. R. No. 21, Relative to equipping the Highway Patrol with scales and brake-testing equipment. On motion of Senator Fellbaum, the resolution was laid on the table subject to call.

House Bill No. 311.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Kyle of Hays:

H. B. No. 311, A bill to be entitled "An Act amending Article 6673, Chapter 1, of Title 116, of the Revised Civil Statutes of Texas, and providing for the control of State highways of Texas, and providing that no change in the routing of highways already designated within towns and cities of more than three hundred fifty (350) population, shall be changed without the consent of the commissioners court of the county wherein said town or city is situated; providing nothing in this Act shall prevent the re-routing of a State highway through a town to avoid railroad crossings, provided the commissioners court may require the old routing upon paying one-half the cost of necessary underpasses or overpasses, and declaring an emergency."

Read second time.

On motion of Senator Russek, the bill was laid on the table subject to call.

H. C. R. No. 27.

Senator Parr called up from the table:

H. C. R. No. 27, Granting W. E. Pope permission to sue the State Highway Department.

The committee amendment was adopted.

Senator Purl sent up the following amendment:

Amend resolution by adding the following:

"If any moneys are received by plaintiff in this suit, said moneys shall be only paid out State Highway funds of the State of Texas."

PURL.

Read and adopted.

The resolution as amended was adopted.

H. C. R. No. 21.

Senator Fellbaum called up from the table:

H. C. R. No. 21, Relative to providing State Highway Patrol with scales and brake-testing equipment for use in checking weights and brakes of commercial motor vehicles. The resolution was read.

On motion of Senator Fellbaum, the resolution was laid on the table subject to call.

House Bill No. 246.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Harman:

H. B. No. 246, A bill to be entitled "An Act to amend Articles 1103, 1105, 1106, and 1110 of the Penal Code, and declaring an emergency." (Relating to labeling of names on cars, trucks, etc., in which petroleum products are shipped.)

The committee amendment was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 246 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

House Bill No. 632.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 632, A bill to be entitled "An Act amending Acts of 1930, Fifth Called Session, Forty-first Legislature of Texas, page 212, Chapter 66, otherwise identified as Article 2774-a, Revised Civil Statutes of 1925, by exempting certain cities and towns from the provisions thereof until the people residing therein, by referendum, avail themselves of the provisions thereof by vote of the majority of the qualified voters thereof; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Collie, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 632 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Moore.
Blackert.	Murphy.
Collie.	Neal.
Cousins.	Pace.
DeBerry.	Parr.
Duggan.	Patton.
Fellbaum.	Poage.
Greer.	Purl.
Holbrook.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.

Russek.
Sanderford.
Small.

Woodruff.
Woodward.

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

House Bill No. 760.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 760, A bill to be entitled "An Act authorizing and requiring the board of trustees of the public free schools of the City of Galveston to set aside and appropriate the fund of fifty thousand dollars (\$50,000) represented by the Guaranty Building and Loan Company certificates heretofore donated to said board of trustees by Mrs. L. Lovenbert, on the 13th day of October, 1931, for the purpose of providing, establishing, and maintaining a retirement fund, as well as any other fund or property hereafter specifically given or donated to said board of trustees therefor, the income from which shall be used for the payment of pensions or retirement benefits to the present and future superintendents, principals, supervisors, teachers, and other regularly salaried employees of said schools, under such rules and regulations as may be prescribed therefor, provided, that no funds or other property derived by way of taxation shall ever be set aside or appropriated for such pur-

pose, and providing that when said funds or property have once been set aside or appropriated for said purpose they can be used for no other purpose, etc.; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 760 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Neal.
Blackert.	Pace.
Collie.	Parr.
Cousins.	Patton.
DeBerry.	Poage.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.

Nays—1.

Purl.

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

House Bill No. 524.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Young:

H. B. No. 524, A bill to be entitled "An Act to repeal Chapter 122, of the Special Laws of the Thirty-ninth Legislature, Regular Session, 1925, known as House Bill No. 658, relating to a special road law for DeWitt County; and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Blackert, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 524 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

House Bill No. 227.

Senator Poage called up from the table the following bill:

H. B. No. 227, A bill to be entitled "An Act providing for the removal of guardianships from one county in this State to another county therein, when the residence of the ward is changed to such other county, and in cases where the guardian of the ward's estate is in one person or corporation, and his natural guardian, or guardian of his person is another, etc.; and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Poage, the constitutional rules requiring bills to be read on three several days was suspended and H. B. No. 227 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hornsby.	Sanderford.
Hopkins.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

House Bill No. 822.

Senator Collie called up from the table the following bill:

By Mr. Ratliff:

H. B. No. 822, A bill to be entitled "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by independent school districts in this State, not in excess of the limit now provided by law, which are void or unenforceable because the same were made and adopted by resolution, motion, or other informal action; and because of the failure of the governing body of such districts to appoint the proper and statutory board of equalization; and which are insufficient and void or unenforceable on account of technical irregularities in the manner of preparing the books and reports of assessors assessing such property, etc.; and declaring an emergency."

Senator Collie sent up the following amendment:

Amend H. B. No. 822 by adding at the end of Section 1, the following: "and providing further that this Act shall not validate any valuation placed upon property by any board of equalization or any tax assessor where such property has been valued in excess of its reasonable cash market value or where such property has been discriminated against as to value or placed upon the rolls at a higher value than property of like kind and character or at a greater percentage of its value than other property assessed for taxation."

COLLIE.

Read and adopted.

Amend caption of H. B. No. 822 to conform with body of bill.

COLLIE.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Collie, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 822 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Read third time and finally passed
by the following vote:

Yeas—25.

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
Cousins.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Neal.	Woodward.
Pace.	

Nays—2.

DeBerry.	Murphy.
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Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

S. J. R. No. 13.

Senator Woodward received unanimous consent to suspend the regular order of business and take up the following resolution:

By Senator Woodward:

S. J. R. No. 13, A joint resolution proposing an amendment to Section 3 of Article VIII of the Constitution of the State of Texas, and providing for the levying and collection of taxes by general laws, and fixing the total amount of revenue which may be collected during each biennium, and the total amount of funds which may be expended during each biennium; provided that restrictions

herein contained as to amounts of taxes to be levied may be suspended in case of grave emergencies; and providing for an election upon such proposed constitutional amendment, and making an appropriation therefor.

Read second time.

Senator Woodward sent up the following amendment:

Amend Committee Substitute Senate Joint Resolution No. 13, by adding after the word "State," line 49, the following in parenthesis: (In determining the amount of revenue which may be collected from taxes, licenses, permits and fees or expended from the revenue thus obtained).

WOODWARD.

Read and adopted.

The committee substitute, as amended, was adopted by the following vote:

Yeas—26.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Moore.	Small.
Murphy.	Woodruff.
Neal.	Woodward.

Present—Not Voting.

DeBerry.

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

The resolution, as substituted, was passed to engrossment by the following vote:

Yeas—26.

Beck.	Murphy.
Blackert.	Neal.
Collie.	Pace.
Cousins.	Parr.
Duggan.	Patton.
Fellbaum.	Poage.
Greer.	Purl.
Holbrook.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.
Moore.	Russek.

Sanderford. Woodruff.
Small. Woodward.

Present—Not Voting.

DeBerry.

Absent—Excused.

Martin. Stone.
Oneal. Woodul.

Senate Bill No. 357.

Senator Moore received unanimous consent to suspend the regular order of business and take up the following bill:

By Senator Moore:

S. B. No. 357, A bill to be entitled "An Act to permit the Commissioners Court of Rains County, Texas, to use all or any part of interest collected on notes held by said County of Rains against Rains County school land in Hockley County, Texas, to protect said property as to taxes and pay attorneys' fees, etc., in case of foreclosure; and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time.

Senator Moore sent up the following amendment:

Amend S. B. No. 357 as follows: By striking out the words "and reasonable attorneys' fees" in Section 1, and amend the caption to conform to the body of the bill.

MOORE.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Moore, the constitutional rule requiring bills to

be read on three several days was suspended and S. B. No. 357 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Moore.	Woodruff.
Murphy.	Woodward.
Neal.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Free Conference Report.

Senator Holbrook sent up the following Free Conference Committee report:

Committee Room,
Austin, Texas, March 17, 1933.

Hon. Edgar E. Witt, President of the Senate.
and

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, appointed to adjust the differences between the two Houses on House Bill No. 168, beg leave to report that we have considered same and recommend that it do pass in the form herewith submitted.

HARMAN,
GRAVES,
GOOD,
COOMBES,
FORD.

On part of the House.
HOLBROOK,
MARTIN,
ONEAL,
MOORE,
SMALL.

On part of the Senate.

H. B. No. 168.

A BILL**To Be Entitled**

An Act making appropriations to pay salaries to Judges, and for the support and maintenance of the Judicial Department of the State Government for the two (2) year period beginning September 1, 1933, and ending August 31, 1935; requiring all fees paid to clerks or officers of all Appellate Courts to be deposited monthly in the State Treasury and that none of such fees be retained by said clerks or officers as compensation for their services; prescribing certain rules and restrictions respecting the expenditure of appropriations made herein; repealing all laws in conflict herewith; declaring the invalidity of any portion of this Act shall not affect any other portion, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the several sums of money herein specified, or so much thereof as may be necessary, be, and the same are hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to pay the salaries of Judges, and for the support and maintenance of the Judicial Department of the State Government for the two (2) years ending August 31, 1934, and August 31, 1935, respectively.

COURT OF CIVIL APPEALS,

1st District, Galveston, Texas.

	For the Years Ending	
	August 31, 1934	August 31, 1935
Salaries:		
Three Judges	\$ 15,480.00	\$ 15,480.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,320.00	1,320.00
Porter	540.00	540.00
Books for Library	400.00	400.00
Record books, stationery, ice, telegraph, telephone, express, postage, box rent, contingent expense	500.00	500.00

	For the Years Ending	
	August 31, 1934	August 31, 1935
Furniture and Typewriter.....	50.00	50.00
Totals	\$ 22,790.00	\$ 22,790.00

COURT OF CIVIL APPEALS,
2nd District, Fort Worth, Texas.

Salaries:		
Three Judges	\$ 15,480.00	\$ 15,480.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,320.00	1,320.00
Porter	540.00	540.00
Books for Library.....	400.00	400.00
Record books, stationery, ice, telephone, telegraph, postage, box rent and contin- gent expenses	500.00	500.00
Labor and materials for cases to store old Court Records	100.00	50.00
Totals	\$ 22,840.00	\$ 22,790.00

COURT OF CIVIL APPEALS,
3rd District, Austin, Texas.

Salaries:		
Three Judges	\$ 15,480.00	\$ 15,480.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,320.00	1,320.00
Porter	540.00	540.00
Record books, stationery, postage, ice, tele- phone, telegraph, express, box rent and contingent expenses	450.00	450.00
Law books for Library	300.00	300.00
Totals	\$ 22,590.00	\$ 22,590.00

COURT OF CIVIL APPEALS,
4th District, San Antonio, Texas.

Salaries:		
Three Judges	\$ 15,480.00	\$ 15,480.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,320.00	1,320.00
Porter	540.00	540.00
Record books, stationery, telephone, tele- graph, express, postage and contingent expenses	450.00	450.00
Books for Library	400.00	400.00
Furniture, filing cabinets and typewriters and repairing books		70.00
Totals	\$ 22,690.00	\$ 22,760.00

COURT OF CIVIL APPEALS,
5th District, Dallas, Texas.

Salaries:		
Three Judges	\$ 15,480.00	\$ 15,480.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,320.00	1,320.00
Porter	540.00	540.00
Books for Library	400.00	400.00

	For the Years Ending	
	August 31, 1934	August 31, 1935
Record books, stationery, telephone, telegraph, express, postage and contingent expenses	450.00	450.00
Typewriters		70.00
Totals	\$ 22,690.00	\$ 22,760.00

**COURT OF CIVIL APPEALS,
6th District, Texarkana, Texas.**

Salaries and Maintenance:		
Three Judges	\$ 15,480.00	\$ 15,480.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,320.00	1,320.00
Porter	540.00	540.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent, contingent expenses	450.00	450.00
Books for Library and subscriptions	400.00	400.00
Typewriters	70.00	
Totals	\$ 22,760.00	\$ 22,690.00

**COURT OF CIVIL APPEALS,
7th District, Amarillo, Texas.**

Salaries:		
Three Judges	\$ 15,480.00	\$ 15,480.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,320.00	1,320.00
Porter	540.00	540.00
Books for Library	400.00	400.00
Record books, stationery, ice, telephone, telegraph, postage, express, box rent and contingent expenses	450.00	450.00
Totals	\$ 22,690.00	\$ 22,690.00

**COURT OF CIVIL APPEALS,
8th District, El Paso, Texas.**

Salaries:		
Three Judges	\$ 15,480.00	\$ 15,480.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,320.00	1,320.00
Porter	540.00	540.00
Books for Library	400.00	400.00
Typewriters and furniture		70.00
Record books, stationery, ice, telephone, telegraph, express, postage and contingent expenses	450.00	450.00
Totals	\$ 22,690.00	\$ 22,760.00

**COURT OF CIVIL APPEALS,
9th District, Beaumont, Texas.**

Salaries:		
Three Judges	\$ 15,480.00	\$ 15,480.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,320.00	1,320.00

	For the Years Ending	
	August 31, 1934	August 31, 1935
Porter	540.00	540.00
Books for Library	400.00	400.00
Record books, stationery, ice, telephone, telegraph, express, postage, box rent and contingent expenses	450.00	450.00
Furniture and typewriters		70.00
Totals	\$ 22,690.00	\$ 22,760.00

**COURT OF CIVIL APPEALS,
10th District, Waco, Texas.**

Salaries:		
Three Judges	\$ 15,480.00	\$ 15,480.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,320.00	1,320.00
Porter	540.00	540.00
Books for Library	400.00	400.00
Typewriters		70.00
Record books, stationery, telephone, tele- graph, postage, box rent, ice, express and contingent expenses	450.00	450.00
Totals	\$ 22,690.00	\$ 22,760.00

**COURT OF CIVIL APPEALS,
11th District, Eastland, Texas.**

Salaries:		
Three Judges	\$ 15,480.00	\$ 15,480.00
Clerk	3,000.00	3,000.00
Deputy Clerk	1,500.00	1,500.00
Stenographer	1,320.00	1,320.00
Porter	540.00	540.00
Record books, stationery, ice, telephone, express, postage, box rent and contingent expenses	450.00	450.00
Typewriters		70.00
Library books	400.00	400.00
Totals	\$ 22,690.00	\$ 22,760.00

SUPREME COURT

Salaries:		
Three Judges	\$ 18,000.00	\$ 18,000.00
Clerk	3,000.00	3,000.00
Reporter	2,400.00	2,400.00
Law clerks and stenographers, three (3)....	4,500.00	4,500.00
Marshall and assistant librarian	1,500.00	1,500.00
Porter for Judges' rooms	540.00	540.00
Porter for Court Room, Clerk's Office and Library	540.00	540.00
Two (2) Deputy Clerks at \$1,500.00 per year each	3,000.00	3,000.00
One Deputy Clerk, who shall also act as Secretary to the Board of Legal Ex- aminers	2,500.00	2,500.00
One Secretary in the Clerk's Office	1,500.00	1,500.00
Furniture, record books, printing, sta- tionery, typewriters, postage, express and contingent expenses	2,000.00	2,000.00

	For the Years Ending	
	August 31, 1934	August 31, 1935
Bookcases, furniture, equipment, repairs and lighting system for Court Library and purchase of books and rebinding	2,000.00	2,000.00
Totals	\$ 41,480.00	\$ 41,480.00

SUPREME COURT—COMMISSION OF APPEALS,
Sections A and B

Salaries and Miscellaneous:		
Six (6) Judges	\$ 33,000.00	\$ 33,000.00
Stenographers, four (4)	5,280.00	5,280.00
Porter	540.00	540.00
Record books, rental and purchase of law books, stationery, furniture, telephone, typewriters, postage and contingent ex- penses	500.00	500.00
Totals	\$ 39,320.00	\$ 39,320.00

COURT OF CRIMINAL APPEALS

Salaries:		
Three (3) Judges	\$ 18,000.00	\$ 18,000.00
Clerk	3,000.00	3,000.00
Bailiff and Secretary	1,800.00	1,800.00
Two Secretaries	3,600.00	3,600.00
Court Reporter	3,000.00	3,000.00
Joint Stenographer for Reporter Court Criminal Appeals and Supreme Court	1,320.00	1,320.00
Porter	540.00	540.00
Maintenance:		
Postage and Post Office Box Rent	200.00	200.00
Law Books	300.00	300.00
Record Books and Stationery	300.00	300.00
Contingent Expense	75.00	75.00
Furniture, File Cases and Pictures of De- ceased Judges	100.00	100.00
Telephones	240.00	240.00
Filing Envelopes	200.00	200.00
Typewriters	70.00	70.00
Totals	\$ 32,745.00	\$ 32,745.00

COMMISSION OF APPEALS COURT OF CRIMINAL APPEALS

Salaries and Miscellaneous:		
Two Commissioners	\$ 11,000.00	\$ 11,000.00
Two Stenographers	2,640.00	2,640.00
Telephones	100.00	100.00
Totals	\$ 13,740.00	\$ 13,740.00

STATE PROSECUTING ATTORNEY BEFORE COURT OF
CRIMINAL APPEALS

Salaries and Miscellaneous:		
Attorney	\$ 3,400.00	\$ 3,400.00
Law Clerk and Stenographer	1,380.00	1,380.00
Telephone, postage and contingent expense	150.00	150.00
Furniture, typewriter and bookcase	50.00	50.00
Law books	75.00	75.00
Totals	\$ 5,055.00	\$ 5,055.00

JUDICIARY OF COMPTROLLER'S DEPARTMENT

For the Years Ending
August 31, August 31,
1934 1935

Salaries of 127 District Judges and Criminal District Judges, including salaries of District Judge of Special District, composed of Smith and Upshur Counties, for the period, September 1, 1933, to November 15, 1934, and District Judge of Special District, composed of Rusk and Gregg Counties, for the period, September 1, 1933, to November 1, 1934; all at \$4,000.00 each, per year	\$ 508,000.00	\$ 501,500.00
Constitutional allowance for 59 District Attorneys, at \$500.00 each, per year.....	29,500.00	29,500.00
Compensation of 53 District Attorneys at \$16.50 per day for each day spent in the actual and necessary performance of their duties for not exceeding 175 days in any one calendar year.....	\$ 153,037.50	\$ 153,037.50
Compensation of District Attorney of the 34th Judicial District (El Paso District) at \$20.00 per day for each day spent in the actual and necessary performance of his duties for not exceeding 175 days in any one calendar year.....	3,500.00	3,500.00
Compensation of one Assistant District Attorney of the 34th Judicial District.....	2,700.00	2,700.00
Compensation of one Assistant District Attorney for each of the following Judicial Districts: 30th, 49th, 72nd, 22nd, 53rd and 47th. Total of six Assistant District Attorneys at \$1,800.00 each per year....	10,800.00	10,800.00
District Judges and District Attorneys Expenses (Per Article 6820, Revised Civil Statutes) Payable Quarterly	35,000.00	35,000.00
Special District Judges' Salaries and Regular District Judges' Expenses when holding Court out of their own Districts.....	7,500.00	7,500.00
Transcript fees to Official Court Reporters for Narrative Statement of Facts and/or in Cases where Court is required and does appoint Attorney to represent Defendant in Criminal Action, and where Official Reporter is Required and does furnish Defendant's Attorney with Transcript of his notes as is provided by law.....	1,000.00	1,000.00
Fees and Costs of Officials in Cases of Escheated Estates	50.00	50.00
Fees and Costs of Sheriffs, Attorneys and Clerks in Felony Cases	500,000.00	500,000.00
Expenses of Attached Witnesses, Witness fees and mileage allowed Witnesses in Felony cases, who live in counties other than the county in which the case is being tried	225,000.00	225,000.00
Fees of County Judges, County Attorneys, Justice of Peace, Sheriffs and Constables in examining trials actually held and where indictments are returned	100,000.00	100,000.00
Special Judges of Supreme Court, Courts of Criminal and Civil Appeals where disqualification of Regular Judge exists and		

	For the Years Ending	
	August 31, 1934	August 31, 1935
Special Judges are appointed; Per Diem to be the same as a Regular District Judge received per day	1,200.00	1,200.00
Totals Judiciary (Comptroller)	\$ 1,577,287.50	\$ 1,570,787.50

General Provisions

Sec. 2. Appropriations made in this Bill are intended to be and shall be construed as being the maximum sums, respectively, which may be used in any way for the purposes or objects named in the Bill and obligations shall not be incurred in any case which, when the amount thereof added to expenditures actually made, will exceed such maximum sum; and no surplus shall be diverted from one appropriation to another.

Provided, that all printing and stationery shall be purchased through the Board of Control and shall be confined to such articles and qualities as selected and contracted for by the Board of Control.

Provided, that no account against any items of witness fees, County Attorneys, Justice of Peace, Sheriffs and Constables fee, and costs of Sheriffs, Attorneys and Clerks in felony cases, shall be binding as an obligation against the State of Texas, until such account shall have been examined, audited and approved by the State Comptroller, and no such account shall be paid by the State Treasurer until the same has been so approved by the Comptroller.

Provided, that the Governor, in case of an extraordinary emergency, may authorize a deficiency for such purpose or purposes which could not have been anticipated or provided for by the Legislature. All moneys appropriated by this Act shall remain in the State Treasury and be paid out only as it is expended, or as the necessity or emergency may require.

Provided further, that it shall be the duty of the head of each and every department of the State Government, annually, and within sixty (60) days after the close of the State's fiscal year, to make a sworn statement to the Governor of all amounts expended by said department, and especially list therein the total amount expended by such department for traveling expenses and the amounts expended for the purchase of automobiles, and all expenses for gasoline, oil, repairs, parts and supplies for all automobiles used by such departments; and the head of each department simultaneously with the filing of his report with the Governor shall forward a copy of said report to the State Board of Control.

Provided further, that none of the above salaries shall be paid to any of the above mentioned appointive employees by the Comptroller, until each employee has filed with the Comptroller an affidavit showing his or her marital status; and the Comptroller is hereby forbidden to issue any warrant to any husband whose wife is an employee of any Department, Board, Commission, or any other agency of the State of Texas, and/or to a wife whose husband is an employee of any Department, Board, Commission or any other agency of the State of Texas.

Annual salaries shall be paid in twelve (12) equal monthly installments. Printed matter, stationery, materials and supplies in any way authorized (by this Bill or other law) to be purchased or contracted for or in behalf of any Court or agency thereof named in this Bill shall be purchased or contracted for by the Board of Control and in the appropriate general manner provided for the Board of Control in existing law.

No funds appropriated in this Bill shall be used to pay any expense of traveling outside the boundaries of the State of Texas or for payment (or reimburse for payment) of any tip or gratuity whatsoever.

Each officer, agent or employee of a Court named in this Act and entitled to be paid a salary or other compensation out of an appropriation above made shall be paid by warrant issued in his or her name and specifically showing the amount of salary or sum due and the services for which the payment is being made (with date or dates and place or places of

performance of such services) such warrant to be endorsed, before payment thereof, by such officer, agent or employee.

The following rules shall be observed by all officers and employees in rendering expense accounts before any expense account shall be paid from appropriations herein made for "Traveling Expenses" for employees, judges, or officers.

There must be a concise statement of the duties performed and the points from and to which the employee, judge or officer travels, the hour of arrival at and departure from the designated post of duty, and the mode or modes of conveyance.

The name of each hotel, restaurant, boarding or rooming house at which meals and lodging are procured shall be given in every case.

Fees, as tips to waiters on dining cars, or at hotels or restaurants or otherwise shall not be approved.

The use of Railroad scrip books and other forms of transportation provided at the expense of the State are hereby prohibited, and hereafter all railroad and other transportation shall be paid in cash and properly listed in expense accounts rendered. Tax exemption certificates shall be used in all cases where the State is exempt from the payment of Government tax under Federal Provision. The State Comptroller shall be governed accordingly in the issuance of warrants covering payment for Railroad scrip books and other forms of transportation.

Money appropriated above for stamps or postage shall be expended only upon warrants made payable to a Postmaster and endorsed by such Postmaster or his deputy or authorized clerk.

That portion of every appropriation made herein which is unexpended at the close of the fiscal year for which the appropriation is made shall immediately revert to and become a part of the General Revenue Fund.

It is hereby provided that the word "unexpended" as used in this Act means "not disbursed nor contracted to be disbursed."

Sec. 3. All fees paid to clerks or officers, or other employees, of all Appellate Courts named herein, either for official or unofficial copies of opinions, or for other services or documents, shall be deposited monthly in the State Treasury, and none of such fees shall be retained by said officers or clerks.

Sec. 4. All laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 5. If any section, sub-section or any part or provision of this Act shall be held unconstitutional or invalid, such holding shall not affect any other part or provision of the Act.

Sec. 6. The fact that this is one of the general appropriation bills to provide for support, maintenance and operation of important agencies of the State and the crowded condition of the calendars of the two Houses of the Legislature, create an emergency and an imperative public necessity for the suspension of the Constitutional Rule requiring bills to be read on three several days and for the taking effect of the Act immediately upon its passage, and such Rule is hereby suspended and it is enacted that this bill take effect immediately upon its passage.

RECAPITULATION—JUDICIARY BUDGET.

	For the Years Ending	
	August 31, 1934	August 31, 1935
Court of Civil Appeals, 1st District, Galveston	\$ 22,790.00	\$ 22,790.00
Court of Civil Appeals, 2nd District, Fort Worth	22,840.00	22,790.00
Court of Civil Appeals, 3rd District, Austin	22,590.00	22,590.00
Court of Civil Appeals, 4th District, San Antonio	22,690.00	22,760.00
Court of Civil Appeals, 5th District, Dallas	22,690.00	22,760.00
Court of Civil Appeals, 6th District, Texarkana	22,760.00	22,690.00

	For the Years Ending	
	August 31, 1934	August 31, 1935
Court of Civil Appeals, 7th District, Amarillo	22,690.00	22,690.00
Court of Civil Appeals, 8th District, El Paso	22,690.00	22,760.00
Court of Civil Appeals, 9th District, Beaumont	22,690.00	22,760.00
Court of Civil Appeals, 10th District, Waco	22,690.00	22,760.00
Court of Civil Appeals, 11th District, Eastland	22,690.00	22,760.00
Supreme Court	41,480.00	41,480.00
Commission of Appeals, Sections A and B, to aid Supreme Court	39,320.00	39,320.00
Court of Criminal Appeals	32,745.00	32,745.00
Commission of Appeals to aid Court of Criminal Appeals	13,740.00	13,740.00
State's Attorney before Court of Criminal Appeals	5,055.00	5,055.00
Judiciary of Comptroller's Department	1,577,287.50	1,570,787.50
Combined Grand Total, Judiciary	\$ 1,959,437.50	\$ 1,953,237.50

Senator Holbrook moved that the report be adopted.

Senator Purl moved as a substitute to print the report in the Journal and defer action until it was printed.

Senator Holbrook moved to table the substitute motion.

The motion to table was lost by the following vote:

Yeas—13.

Beck.	Moore.
Blackert.	Murphy.
Collie.	Poage.
DeBerry.	Redditt.
Greer.	Sanderford.
Holbrook.	Woodruff.
Hornsby.	

Nays—14.

Cousins.	Patton.
Duggan.	Purl.
Fellbaum.	Rawlings.
Hopkins.	Regan.
Neal.	Russek.
Pace.	Small.
Parr.	Woodward.

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

The motion to print in the Journal prevailed by the following vote:

Yeas—14.

Cousins.	Hopkins.
Duggan.	Neal.
Fellbaum.	Pace.

Parr.	Regan.
Patton.	Russek.
Purl.	Small.
Rawlings.	Woodward.

Nays—13.

Beck.	Moore.
Blackert.	Murphy.
Collie.	Poage.
DeBerry.	Redditt.
Greer.	Sanderford.
Holbrook.	Woodruff.
Hornsby.	

Absent—Excused.

Martin.	Stone.
Oneal.	Woodul.

Notices of Intent.

Senator Neal gave notice that she would call up from the table S. B. No. 191 tomorrow immediately following the morning call.

Senator Holbrook gave notice that he would take up the Free Conference Committee Report on H. B. No. 168 tomorrow morning after today's Journal had been laid on the desks.

House Bill No. 490.

Senator Fellbaum asked unanimous consent to take up out of its regular order H. B. No. 490.

Objection was heard.

Senator Fellbaum moved to suspend the regular order of business and take up H. B. No. 490.

Adjournment.

Senator Collie moved to recess until 2 o'clock p. m.

Senator Hornsby moved to adjourn until 10 o'clock tomorrow morning. The motion prevailed.

Senator Collie received unanimous consent to be recorded as voting "nay."

At 1:24 o'clock p. m., the Senate adjourned.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, March 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 468 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Room,
Austin, Texas, March 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 456 carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 468, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas the sum of Five Hundred and Sixty-six Dollars and Sixty-five cents (\$566.65) not otherwise appropriated, to cover rental for vault space in the Austin National Bank of Austin, Texas, from March 9, 1933, to August 31, 1933; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 456, A bill to be entitled "An Act to be known as Article 4386a, Revised Civil Statutes, 1925; providing for the issuance of warrants for United States postage stamps to be used by boards or departments of the State government, and providing for the payment of such warrants irrespective of the serial number thereof or the priority of the issuance thereof; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, March 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

S. B. No. 15, A bill to be entitled "An Act to repeal Chapter 5, Title 128 of the Revised Statutes of Texas, being Articles 7960 and 7971 inclusive and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DeBERRY, Chairman.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 278, Relative to an Act to amend Article 285, Chapter 4, Title 5, Code of Criminal Procedure.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 326, Relative to an Act defining unfair discrimination and prohibiting discrimination in manufacture, sale or distribution of certain commodities.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sr: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 417, Relative to an Act providing that obligations of persons or corporations holding mortgages or other liens on real estate may be tendered and accepted in payment of principal or interest due.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 153, Relative to an Act amending Article 4442, Revised Statutes, 1925, by adding Section No. 5.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be printed.

SMALL, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 153 by striking out the words, "State Board of Health" in Line 4 of Section 1 of the typewritten bill, and inserting in lieu thereof the words, "Division of Child Welfare."

Committee Amendment No. 2.

Amend H. B. No. 153 by striking out that part of Section 1 following the words, "County Attorney" in Line 15, and inserting in lieu thereof the following: "in the county where such institution is located."

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 233, Relative to an Act requiring the County Judge to include in the County Budget an itemized statement showing number of deputies, assistants and employees, proposed compensation, etc.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendment and be printed.

SMALL, Chairman.

Committee Amendment.

Amend S. B. No. 233 by striking the last sentence of Section 2 beginning with the word "Likewise" in Line 12 of said section, and amend caption to conform.

Committee Room,
Austin, Texas, March 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was re-referred

H. C. R. No. 15, Relative to granting Hugh Everett Carr the right to sue the State.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, March 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 28, A bill to be entitled "An Act to amend Article 4604 of the Revised Civil Statutes of 1925, as amended by the Acts of 1929, Forty-first Legislature, Chapter 114, so as to provide that persons who

desire to marry shall procure from the County Clerk a license directed to all persons authorized by law to celebrate the rites of matrimony, and that said license shall be sufficient to celebrate such marriage; repealing Articles 4604-A, 4604-B and 4604-C, requiring the County Clerk at the time the license is applied for to examine the applicant or applicants for the license under oath as to age and residence and reduce the same to writing, and requiring where either party is absent when application is made an affidavit by a person other than the contracting party as to age and residence of the absent party, and requiring the filing of said affidavit in the County Clerk's office and that the application for license shall be made at least three (3) and not more than thirty (30) days before the license shall be issued, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, March 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 345, A bill to be entitled "An Act authorizing any county, political subdivision, or defined district of a county to fund, refund, compromise, or settle in whole or in part its valid outstanding bonded indebtedness or judgments recovered on such bonded indebtedness, both principal and accrued interest, incurred under the provisions of Section 52 of Article 3 of the Constitution and the laws of this State enacted pursuant thereto for the purpose of constructing, maintaining and operating macadamized, graveled, or paved roads and turnpikes, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, March 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 334, A bill to be entitled "An Act to amend Articles 1111, 1112, 1113, and 1114 of the Revised Civil Statutes of Texas for 1925 and amendments thereof as passed by the Fortieth Legislature found in Chapter 194, Page 276, of the Acts of the Regular Session of the Fortieth Legislature, and as amended by Chapter 32, Acts of the Third Called Session of the Forty-second Legislature at Page 96 of the Acts of the Third Called Session of the Forty-second Legislature providing for the character of repairs and extensions necessary to render efficient service which shall be a first lien and charge upon the incomes of the particular utility which is repaired or extended, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, March 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 196, A bill to be entitled "An Act amending Article 7172 of the Revised Civil Statutes of Texas by providing that all taxes whether ad valorem, occupation or otherwise, shall be a lien on all property, both personal and real, providing that said lien shall continue, though said property is not assessed, and that back assessments may be made on said property for any taxes due thereon, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, March 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 389, A bill to be entitled "An Act to regulate the occupation of beauty culture and hair dressing; to provide for an addition of three female members of the Board of Barber Examiners, and giving the said board power to license and regulate persons carrying on and teaching beauty culture and hair dressing, and to provide rules regulating the proper conduct and sanitation of beauty culture establishments and schools for the protection of public health, and to provide penalties for violators thereof. This Act shall be known as 'An Act Regulating the Occupation of Hairdressing and Beauty Culture.'"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute do pass and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, March 22, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 307, A bill to be entitled "An Act providing that no life insurance company organized under the laws of any State other than the State of Texas, or organized under the laws of any foreign country, may reinsure the entire outstanding business of any solvent life insurance company organized under the laws of this State or acquire, either directly or indirectly, all or substantially all of the assets of any solvent insurance company organized under the laws of this State; repealing all laws in conflict; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments and be printed.

PURL, Chairman.

Committee Amendment No. 1.

Section 1, line 4, strike out the words "the entire" and insert in

lieu thereof the following: "all or substantially all of the"

Committee Amendment No. 2.

Section 1, add the following: "provided that the provisions hereof shall not apply to the re-insurance of individual risks in the ordinary course of business."

Committee Amendment No. 3.

Amend the caption to conform to the body of the bill.

Committee Room,
Austin, Texas, March 16, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 161, A bill to be entitled "An Act amending Articles 8309 of the Revised Civil Statutes of Texas of 1925, by adding a new section following Section 2 of such Article, to be numbered Section 2a of such Article 8309; providing that any employer permitted to become a subscriber under Title 130 of the Revised Civil Statutes of Texas who will agree to conform to the rules of the Industrial Accident Board and who may be of sufficient financial ability to render certain the payment of the damages and compensation provided for in part I of said title, and who does not desire to insure the payment of such damages and compensation or to indemnify himself against loss sustained by the direct payment thereof, may upon a finding of the existence of such financial standing by the Board of Insurance Commissioners of the State of Texas, elect to pay such damages and compensation direct, and shall be granted a certificate creating him a subscriber under said Title 130, provided each such employer shall first either deposit with the State Treasurer the sum of \$50,000.00 in cash or in the same nature of securities as are required by law to be deposited by casualty companies created under the general laws of this State as a prerequisite to their doing business in this State or enter into a bond and obligation in favor of the State Treasurer in the sum of \$50,000.00 to be approved by and in such form as said Board of Insurance Commissioners may direct, such deposit or

such bond and obligation to be held by the State Treasurer to secure the payment by such employer of the damages and compensation provided for in said Title 130, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PURL, Chairman.

Committee Room,

Austin, Texas, March 21, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 490, A bill to be entitled "An Act providing for the disposition of fees of office and setting the maximum for precinct, county and district officers in certain counties; providing that if any part of this Act is held unconstitutional, it shall not affect the remaining part of the Act; repealing all laws in conflict herewith and fixing the effective date of the bill; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with the committee amendment hereto attached, and that it be not printed.

FELLBAUM, Chairman.

Committee Amendment.

Amend H. B. No. 490 by striking out all of Section 1 of the bill and substituting therefor the following:

"Section 1. That in counties in which the population is as many as 290,000 and less than 310,000 inhabitants, according to the last preceding Federal census, the precinct officers shall receive during each fiscal year maximum fees not to exceed Four Thousand (\$4,000.00) Dollars, and no more out of the fees of office now provided for by law. The Criminal District Attorney, and District Attorney, Sheriff and County Judge shall retain during each fiscal year all fees until the same amounts to Four Thousand (\$4,000.00) Dollars, and of the remaining excess fees, such officer shall retain one-half of such remaining excess fees until such one-half together with said sum of Four Thousand

(\$4,000.00) Dollars, shall amount during each fiscal year to the sum of Five Thousand (\$5,000.00) Dollars, and all other county and district officers receiving fees of office shall retain all fees until the same amount to Three Thousand Eight Hundred (\$3,800.00) Dollars, and of the remaining excess fees, such officer shall retain one-half of such remaining excess fees until such one-half, together with said sum of Three Thousand Eight Hundred (\$3,800.00) Dollars, shall amount during each fiscal year to the sum of Five Thousand (\$5,000.00) Dollars, and all fees collected by officers named in this Act during any fiscal year in excess of the maximum amount allowed by this Act, shall be paid into the County Treasury of the County, and the compensation, limitations and maximums herein fixed in this Act for officers shall include and apply to all fees and compensation whatever collected by said officers in their official capacity, whether accountable as fees of office under the present laws or not, and shall include all compensation for certified or uncertified copies of any record or paper, or for any certificates issued, and including notarizing of documents, and particularly shall include all fees now allowed by law to officers pertaining to delinquent taxes and tax certificates and shall not exclude any other fees from the operation of this Act. The compensation fixed by this Act for sheriffs shall be exclusive of rewards received for the apprehension of criminals or fugitives from justice. The maximum fees for the compensation of County Judges and Justices of the Peace shall be inclusive of any compensation received for performing marriage ceremonies, which amount shall be accounted for and required to be reported as fees of office; provided, however, no precinct officer, unless with constitutional authority, shall receive a fee for any misdemeanor case arising outside of the precinct for which he was elected or appointed."

Committee Room,

Austin, Texas, March 21, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 572, A bill to be entitled "An Act to amend Chapter 137 of the Special Laws of Texas of the Regular Session of the 42nd Legislature, known as the Bexar County Road and Bridge Law, by permitting the Commissioners Court to re-allot certain funds; providing an effective date of this Act; repealing all laws and parts of laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FELLBAUM, Chairman.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 644, A bill to be entitled "An Act to amend Section 10 and Section 13 of Chapter 27 of the Acts of the 42nd Legislature, Regular Session, Pages 750-751; amending Section 10 of Chapter 27, with reference to the salary to be paid the Deputy Clerk of the County Court of Jefferson County at Law; and providing for the salary to be paid the official shorthand reporter of said Court; amending Section 13 of said Chapter 27 with reference to salary to be paid the Judge of said Court; and providing that if any paragraph, clause or sentence of this Act be held unconstitutional the rest of the Act shall be held valid; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

FELLBAUM, Chairman.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 596, A bill to be entitled "An Act creating the office of County Purchasing Agent in all counties in this State having a population of more than one hundred thousand (100,000) inhabitants and less than

one hundred fifty thousand (150,000) inhabitants, as shown by the latest United States census, and containing two cities of fifty thousand (50,000) inhabitants or more, each, as shown by the latest United States census; providing for the appointment of such agent, prescribing his duties and fixing his compensation, making it unlawful for any person, firm or corporation to purchase any supplies, materials and equipment for, or to contract for any repairs to property used by such county or any subdivision, officer or employee thereof, except such purchasing agent; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FELLBAUM, Chairman.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 667, A bill to be entitled "An Act defining from what fund the compensation of County Commissioners may be paid in counties having a population of not more than six thousand, three hundred and twenty (6,320) and not less than six thousand, three hundred and ten (6,310) according to the most recent United States census; repealing the Act known as House Bill No. 739, Regular Session, 42nd Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

FELLBAUM, Chairman.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 772, A bill to be entitled "An Act amending Chapter 333 of the Acts of the 42nd Legislature validating all proceedings and acts of the Commissioners Courts of such

counties in elections held for the purpose of authorizing bonds to erect an office building and/or jail; validating all bonds voted, authorized and/or issued, validating all tax levies made in behalf of such bond issuances, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

FELLBAUM, Chairman.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred.

H. B. No. 7, A bill to be entitled "An Act providing for the preparation of a budget by the county judge of each county in which the population according to the last preceding Federal census exceeds three hundred thousand (300,000) inhabitants and does not exceed three hundred fifty-five thousand (355,000) inhabitants for the office of the sheriff, county clerk, district clerk, tax assessor, tax collector, criminal district attorney, constables and justices of the peace during the month of November of each year for the year beginning the following January 1st; providing for the contents of such budget and the method of obtaining the information for same; providing for a public hearing on same and the time thereof and notice thereon; providing for action thereon by the commissioners court and changes therein; providing for the filing of the court's order and copy of budget with the county clerk and State Comptroller; providing for expenditures in conformity with the budget; providing for amendments to the original budget and filing thereof with reason therefor and expenditures in conformity therewith; providing for commissioners court fixing compensation of deputies, assistants and employees regardless of limitations and maximum now provided by any other law or laws and for fixing the number of deputies, assistants and employees regardless of the number provided and/or required by any other law or laws; and repealing all

laws in conflict as applied to counties coming under the provisions of this law; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FELLBAUM, Chairman.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 396, A bill to be entitled "An Act amending Chapter 333 of the Acts of the Regular Session of the 42nd Legislature validating all proceedings and acts of the commissioners courts of such counties in elections held for the purpose of authorizing bonds to erect an office building and/or jail; validating all bonds voted, authorized and/or issued, validating all tax levies made in behalf of such bond issuances, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, for the reason that H. B. No. 772 on the same subject has been favorably reported.

FELLBAUM, Chairman.

Committee Room,
Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 408, A bill to be entitled "An Act creating a Board of Jury Supervisors in Dallas County, Texas; defining the duties of the Board of Supervisors; providing method of selecting a jury commissioner; providing for compensation of jury commissioner and supplies; providing for oath of jury commissioner; providing method of selecting names of jury wheel; compilation of jury list and selection of jurors; providing the method of placing cards in jury wheel; providing for the organization and supervision over the juries; providing the method of drawing cards from the jury wheel; providing for the interchangeable use of

jurors in various courts; providing for the certification of jury lists drawn; providing for delivery of jury lists; providing for additional use of cards; providing for service and return of panel and notices to be issued; providing for swearing in of jurors; providing for work under present law until this Act becomes effective; providing that this Act shall not be applicable in capital cases; providing the constitutionality of one section being held invalid, will not affect the validity of any other section; and providing for repeal of all laws in conflict herewith."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FELLBAUM, Chairman.

Committee Room,

Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 357, A bill to be entitled "An Act to permit the Commissioners Court of Rains County, Texas, to use all or any part of interest collected on notes held by said County of Rains against Rains County school land in Hockley County, Texas, to protect said property as to taxes and pay attorney's fees, etc., in case of foreclosure, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FELLBAUM, Chairman.

Committee Room,

Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 469, A bill to be entitled "An Act validating and legalizing the authorization of bonds issued by or on behalf of any county, city, district, or political subdivision of this State for the construction of seawalls; validating the levy and assessment of ad valorem taxes in payment thereof; validating the manner of holding the election, canvassing

the returns and declaring the result of such election; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, but be not printed.

FELLBAUM, Chairman.

Committee Room,

Austin, Texas, March 21, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 435, A bill to be entitled "An Act to amend Sections 11 and 12 of the Acts of 1927, 40th Legislature, page 26, Chapter 22, fixing the salary of judges of the county courts at law of Bexar County, Texas, at three thousand, six hundred dollars (\$3,600.00) and fixing the maximum of the office of county judge at six thousand, five hundred dollars (\$6,500.00), whether the duties are performed by one or more persons; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with the committee amendments attached hereto, and that it be not printed.

FELLBAUM, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 435, lines three and four of the caption, by striking out the words "Three Thousand, Six Hundred Dollars," where they appear, and the figure (\$3,600.00) where it appears, and inserting in lieu thereof the following: "Four Thousand Dollars (\$4,000.00)."

Committee Amendment No. 2.

Amend H. B. No. 435 in Section 2 of the bill, eleventh and twelfth lines of said Section, by striking out the words "Three Thousand, Six Hundred Dollars" and the figure (\$3,600.00) where they appear and inserting in lieu thereof the following: "Four Thousand Dollars (\$4,000.00)."

Committee Room,

Austin, Texas, March 16, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 338, A bill to be entitled "An Act to amend Acts 1931, 42nd Legislature, 1st Called Session, Page 5, Chapter 3, relating to fishing in Gillespie and other counties so as to change the tackle that may be lawfully used; the period for the open season; the legal length of certain fish; the number of fish which may be caught in Kendall County; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, March 16, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 236, A bill to be entitled "An Act to amend Section 1, Chapter 90, House Bill No. 610, Special Laws of the 42nd Legislature; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, March 16, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 327, A bill to be entitled "An Act amending Chapter 69, of the Acts of the Forty-second Legislature, Regular Session, providing for the taking of catfish, perch, buffalo and drum, in the waters of Delta, Hopkins or Franklin Counties; by hand or with a seine, having meshes one inch square; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, March 16, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 339, A bill to be entitled "An Act to amend Acts 1931, Forty-

second Legislature, First Called Session, page 5, chapter 3, relating to fishing in Gillespie and Mason Counties so as to change the period for the open season; the legal length of certain fish; the number that may be caught in Gillespie and Mason Counties, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, March 16, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 533, A bill to be entitled "An Act to prohibit the use of a steel trap for taking fur-bearing animals or the setting of any steel trap in Anderson and Cherokee Counties, with certain exceptions; providing a penalty; repealing all laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, March 16, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 535, A bill to be entitled "An Act making it unlawful for any person to catch or take or attempt to take or catch catfish of less length than nine (9) inches in Burnet County; providing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,
Austin, Texas, March 16, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 534, A bill to be entitled "An Act making it unlawful to shoot

at or kill any wild deer or wild turkey in that portion of Burnet County north of the Colorado River, and all of Lampasas County; providing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, March 16, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 441, A bill to be entitled "An Act to prohibit the use of a seine or net for taking fish in Cherokee County, except the seine or net of not less than three-inch square mesh during certain months; excepting a minnow seine from the provisions of this Act; providing a penalty; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, March 16, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 358, A bill to be entitled "An Act designating fur-bearing animals declaring them the property of the State, declaring a five (5) year closed season on wild fox in Robertson County; and providing a penalty for violation of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, March 16, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 589, A bill to be entitled "An Act to make it unlawful to take or kill wild quail of any species, for a period of five (5) years in Andrews

County, Texas; fixing penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, March 16, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 557, A bill to be entitled "An Act providing for a closed season on quail in Archer County and prescribing a penalty for violation thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, March 16, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 539, A bill to be entitled "An Act providing an open season for doves in Smith and Wood Counties, preventing person or persons from entering enclosures with bird dog and gun during the closed season provided for in this Act, and repealing the Acts of 1930, Forty-first Legislature, Fourth Called Session, page 29, chapter 19, and all other laws or parts of laws in conflict herewith insofar as they affect Smith and Wood Counties, Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, March 16, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 362, A bill to be entitled "An Act prohibiting the use of any seine or net for taking fish from any of the waters of Lamar County, except a seine or net of not less than two-inch square mesh; or a minnow

seine for the purpose of taking bait; providing a penalty; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Have had the same under consid-

eration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

In Memoriam

Senator DeBerry received unanimous consent to have printed in the Journal the following memorial:

Introductory and memorial remarks of Hon. R. J. Easley, Detroit, Texas. The occasion of the Garner Inaugural train ceremony at the grave of the parents of the Hon. John N. Garner, March 1st, 1933.

Ladies and Gentlemen:

The people of Detroit and surrounding country wish to welcome you who have come here to honor the memory of the mother and father of Texas' most distinguished son; the one whom we believe to be the most constructive statesman of this or any other period in our nation's history.

Mrs. Garner, the sainted mother, might well be compared to a flower, beautiful and hope inspiring, and like Him who was the Rose of Sharon, she spoke only the language of love. From her John received his nobility of soul, his intensely human side, his absorbing sense of service to his fellow man; and from his father, who lies beside her, he received his giant intellect and his unswerving loyalty to fixed principles and ideals.

It is a graceful gesture that people from over the State have paused here to commemorate the noble soul who fostered this great man. Perhaps she in her last sleep takes pride and comfort in this gentle and heartfelt demonstration.

"On some fond breast the parting soul relies,
Some pious drops the closing eye requires;
E'en from the tomb the voice of Nature cries,
E'en in our ashes live their wonted fires."

We are glad that the honor of this passing tribute has been accorded a woman, who by her own courage and fortitude is emulating those immortal qualities which grace the lyrics of Texas pioneer womanhood. I have reference to Senator Margie Neal of Carthage, who will be the first pre-eminent statesman to address you from this spot, which in future years is destined to become a National shrine.